

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

ASBERRY BARRY POSTELL	§	
VS	§	CIVIL ACTION NO. 1:20cv83
ANITA R. BREAUX	§	

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

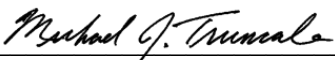
Plaintiff Asberry Barry Postell, proceeding *pro se*, brought this civil rights lawsuit. The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge. The Magistrate Judge has submitted a Report and Recommendation of United States Magistrate Judge. The Magistrate Judge recommends dismissing the lawsuit without prejudice pursuant to Federal Rule of Civil Procedure 41(b).

The Court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record and pleadings. Proper notice has been given to plaintiff at his last known address. *See* FED. R. CIV. P. 5(B)(2)(C). The copy of the Report and Recommendation sent to plaintiff was returned with a notation indicating plaintiff is no longer at the address provided. Plaintiff has failed to provide the Court with a new address, in contravention of Local Rule CV-11(d). No objections were filed to the Report and Recommendation.

ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED** as the opinion of the Court. A final judgment shall be entered in accordance with the recommendation of the Magistrate Judge.

SIGNED this 4th day of November, 2020.



Michael J. Truncala
United States District Judge